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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/805,823	03/22/2004	Lori Ann Kock	LittleT-2	1483

7590 09/21/2006

Susan M. Cornwall
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EXAMINER

NGUYEN, PHU K

ART UNIT PAPER NUMBER

2628

DATE MAILED: 09/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/805,823

Applicant(s)

KOCK ET AL.

Examiner

Phu K. Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.


Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


PHU K. NGUYEN
PRIMARY EXAMINER
GROUP 2300

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 3/22/04.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 11-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over WRIDGE (6,450,090).

As per claim 11, Wridge teaches the claimed "method of making a mat for framing visual artwork", comprising: "scanning photographs to form scanned images corresponding to the photographs" (Wridge, scanner 115 scans the photographs for displaying on the mat board; column 4, lines 30-32); "manipulating the scanned images to form a mat using a photograph-manipulation software program" (Wridge, the computer 102 modifies the characteristics of the scanned images before print it; column 4, lines 34-38); and "printing the mat formed of scanned images" (Wridge, printer 110 prints the scanned images on the mat board; column 4, lines 43-45). It is noted that Wridge does not explicitly state the number of scanned photographs as "at least two" as claimed. However, given Wridge's scanner 115 for "providing computer-readable images from hard copy originals" (column 4, lines 30-32), it would have been obvious for the scanning an arbitrary number of original photographs to provide for printing in mat board because it is up to the user's desire for type and kind of images to print on the mat board.

Claim 12 adds into claim 11 "the mat includes a border; and an artwork-viewing window interior to the border so that the window is surrounded by the border" (Wridge, the mat board 120 with the window 128 in figure 1A; column 4, lines 45-62).

Claim 13 adds into claim 12 "adding a darkened delineating strip along the artwork-viewing window" (Wridge, the French lines 124 in figure 1A).

Claim 14 adds into claim 11 "wherein at least four photos are scanned, stored, and manipulated" which Wridge does not explicitly state. However, given Wridge's scanner 115 for "providing computer-readable images from hard copy originals" (column 4, lines 30-32), it would have been obvious for the scanning an arbitrary number of original photographs to provide for printing in mat board because it is up to the user's desire for type and kind of images to print on the mat board.

Claim 15 adds into claim 11 "wherein manipulating the scanned images includes abutting a scanned image to another scanned image" which Wridge does not state. However, given Wridge's computer 102 and its graphics manipulate capacity to the scanned images, it would have been obvious to put two scanned images "abutting one to another" as claimed because combining two abutting scanned images into a single bitmap image is widely known in practice.

Claim 16 adds into claim 11 "wherein manipulating the scanned images includes overlapping a scanned image with another scanned image" which Wridge does not state. However, given Wridge's computer 102 and its graphics manipulate capacity to the scanned images, it would have been obvious to put two scanned images "overlapping one to another" as claimed because combining two overlapping scanned images into a single bitmap image is widely known in practice.

Claim 17 adds into claim 11 "wherein manipulating the scanned images includes softening the edges of the images so that the edges gradually fade away" which Wridge does not state. However, given Wridge's computer 102 and its graphics manipulate capacity to the scanned images, it would have been obvious to "softening the edges of the images so that the edges gradually fade away" as claimed because manipulating an image by softening its edges is widely known in practice.

Claim 18 is similar to claims 11-17 and adds the storing of scanning images into a memory which Wridge teaches in the database 114 (column 4, lines 23-27).


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phu K. Nguyen whose telephone number is 571 272 7645. The examiner can normally be reached on 8:00-4:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on 5712727664. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Phu K. Nguyen
September 8, 2006


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PRIMARY EXAMINER
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